

Filed for intro on _____
Senate Bill _____
By _____

House No. HB1832
By Phillips

AN ACT to amend Chapter 754 of the Private Acts of 1947, as amended by Chapter 520 of the Private Acts of 1953, Chapter 288 of the Private Acts of 1965, Chapter 37 of the Private Acts of 1975, Chapter 187 of the Private Acts of 1980, Chapter 251 of the Private Acts of 1982, Chapters 173 and 212 of the Private Acts of 1992, Chapters 11 and 86 of the Private Acts of 1993, and all other acts amendatory thereto, the same being the charter of the City of Shelbyville, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article I, Section 4 of Chapter 754 of the Private Acts of 1947, as amended by Chapter 520 of the Private Acts of 1953, Chapter 37 of the Private Acts of 1975 and Chapter 187 of the Private Acts of 1980, is further amended by deleting item (25) in its entirety, and by substituting instead the following language:

(25) To enforce all ordinances, rules or regulations by means of fines, forfeitures and penalties, or by action or proceeding in any court of competent jurisdictions, or by any one or more of such means; and to establish, by ordinance, limits for such fines, forfeitures or penalties.

SECTION 2. Article III, Section 11 of Chapter 754 of the Private Acts of 1947, as amended by Chapter 37 of the Private Acts of 1975, is amended by deleting the section in its entirety, and by substituting instead the following language:

Section 11. *Be it further enacted*, That the Mayor shall preside at all meetings of the City Council in whose absence the Vice-Mayor shall preside as Mayor Pro-Tempore.

Should the Mayor and Vice-Mayor both be absent at any meeting, the City Council shall elect by ballot one of their members present, who shall preside as Mayor Pro Tempore at such meeting, and the Mayor Pro Tempore in both situations shall thereupon be entitled to a voice and a vote in matters arising at such meeting.

SECTION 3. Article V, Section 2, of Chapter 754 of the Private Acts of 1947, as amended by Chapter 212 of the Private Acts of 1992, is further amended by deleting the Section in its entirety, and by substituting instead the following language:

Section 2. *Be it further enacted*, That the Mayor shall perform all other duties, and effectually exercise all such powers as may be conferred or imposed upon him by ordinance, not in conflict with the provisions of this charter. The duties of the Vice-Mayor shall be limited to representing the Mayor at those functions requiring the ceremonial presence of the Mayor, upon request by the Mayor, and to serving as Mayor Pro Tempore at all meetings of the City Council upon the absence of the Mayor.

SECTION 4. Article X, Section 1 of Chapter 754 of the Private Acts of 1947, as amended by Chapter 288 of the Private Acts of 1965 and Chapter 37 of the Private Acts of 1975, is further amended by deleting the Section in its entirety, and by substituting instead the following language:

Section 1. *Be it further enacted*, That as provided in Article VI, Section 2, there is hereby created the Office of City Recorder, to be appointed by the City Council, who shall establish qualifications, salary, term of office, if any, and prescribe the duties, in addition to such duties as are imposed by this Article.

SECTION 5. Article XI, Section 1, of Chapter 754 of the Private Acts of 1947 is amended by deleting the Section in its entirety, and by substituting instead the following language:

Section 1. *Be it further enacted*, That as hereinbefore provided by Section 2 of Article VI, the City Council shall appoint a Treasurer, and shall establish the term of

office, if any, qualifications, salary and prescribe the duties in addition to such duties as are imposed by this Article and the next succeeding Article.

SECTION 6. Article XI, Section 3, of Chapter 754 of the Private Acts of 1947, as amended by Chapter 37 of the Private Acts of 1975, is further amended by deleting the Section in its entirety, and by substituting instead the following language:

Section 3. *Be it further enacted*, That the Treasurer act jointly with the City Manager as a Budget Committee of the City, and keep the City Council fully advised as to the financial condition at all times of the City and each Department thereof.

SECTION 7. Article XIII of Chapter 754 of the Private Acts of 1947, as amended by Chapter 37 of the Private Acts of 1975 and Chapter 173 of the Private Acts of 1992, is further amended by deleting the Article in its entirety, and by substituting instead the following language:

ARTICLE XIII - DEPARTMENTS

Section 1. *Be it further enacted*, That the administrative affairs of the City may be classified and arranged conveniently and conducted efficiently; therefore the City council may create or remove Departments of the City as it shall determine.

Section 2. *Be it further enacted*, That the City Council shall prescribe the duties and functions of each of the Departments, and set policy for conduct of the affairs of each, and may establish temporary Departments for special work.

Section 3. *Be it further enacted*, That the City Manager shall, however, supervise and actively manage and conduct all the Departments created under this Article, as well as all temporary Departments created by the City Council for special work.

SECTION 8. Article XIV, Section 1 of Chapter 754 of the Private Acts of 1947 is amended by deleting the language "Mayor,".

Article XIV, Section 2 of Chapter 754 of the Private Acts of 1947, as amended by Chapter 37 of the Private Acts of 1975 is amended by deleting the Section in its entirety, and by substituting instead the following language:

Section 2. *Be it further enacted*, That the fiscal year of the City shall begin on the first day of July and end on June 30 of the following year, until otherwise provided by ordinance. It is hereby made the duty of the City Manager on or before the 15th day of May each year to cause to be prepared an estimate of the revenues and expenditures of the City for the ensuing fiscal year. This estimate shall be compiled from detailed information in respect of the several Departments on proper forms, and this estimate of expenditures shall be classified for the principal functional divisions of each Department, and shall indicate in parallel columns the following information:

(1) A detailed estimate of the expense of conducting each Department as submitted by the Department.

(2) Expenditures for corresponding items for the last fiscal year.

(3) Expenditures for corresponding items for the current year, including adjustments of an estimate necessary to complete the current fiscal year.

(4) Amount of supplies, materials, funds, etc., on hand at the date of the preparation of the estimate, and amount of supplies, materials, etc., contracted for but undelivered.

(5) Increase or decrease of appropriations proposed by each Department, compared with the corresponding appropriations for the current year.

(6) Such other information as is required by the Budget Committee or that the City Manager may deem advisable to submit.

Such estimate shall be considered by the Budget Committee and appropriate action taken by it, after which time the said estimate bearing the recommendations or action taken by the Budget Committee shall be submitted to the City Council at its next regular meeting, and an appropriation ordinance for the ensuing year shall be finally adopted not later than the regular meeting of the City Council in September following.

SECTION 9. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Shelbyville. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified to the secretary of state.

SECTION 10. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 9.